

THE CONGRESSIONAL DIGEST



Vol. I

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No. 6

FEATURES

THIS MONTH

The Steering Committee Program

Status of Public Health and Education Legislation

Value to Agriculture of New Co-operative
Marketing Law

By

The Secretary of Agriculture

The Dyer Anti-Lynching Act
Pro and Con

Digest of "The Congressional Record"
Digest of "The Congressional Directory"

ANNOUNCEMENT

This magazine was formerly known as "The Capitol Eye." The name was changed with the February number to "The Congressional Digest" to express more definitely the purpose for which the magazine was created and to describe more clearly its content. The policy of presenting all sides of an issue and furnishing the public with facts about Congress and the making of federal laws, remains unchanged.

THE CONGRESSIONAL DIGEST ANNOUNCES FOR APRIL:

Johnson's New "Naturalization, Registration and Citizenship" Bill.
 Congress and the Public Schools of the District of Columbia.
 Progress of Public Health and Education Bills.
 Tracing the Path of a Bill in Congress.
 Regular Features Continued.

The CONGRESSIONAL DIGEST

Pro & Con

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CONGRESS

The United States Congress is composed of two branches, the Senate with 96 members and the House of Representatives with 435 members. A legislative measure must pass both branches of Congress before it is enacted into law.

THE 67TH CONGRESS

The present Congress is known as the 67th Congress. The first Session of the 67th Congress, which was summoned by the President to meet in special session, convened on April 11, 1921, recessed from August 24 until September 21, and adjourned on November 23, 1921. The Second Session, which is in fact the first regular session of the 67th Congress, convened on December 5, 1921, and will probably continue into the summer. A legislative measure must be freshly introduced in each Congress, and unless disposed of carries over from one session to another through the life of the Congress.

Fifteen thousand bills and resolutions have been introduced in the 67th Congress since April 11, and new ones are introduced daily. At the close of the First Session 151 bills and resolutions had been enacted into law.

THE POLITICAL PARTIES

The Republican Party has control of both branches of the 67th Congress. The present membership of the Senate is made up of 59 Republicans, 36 Democrats and 1 Progressive Republican. The present membership of the House of Representatives is made up of 299 Republicans, 131 Democrats and 1 Socialist (4 vacancies).

As the party in power, the Republicans are responsible for the progress of legislation in this Congress.

THE STEERING COMMITTEES

In order to facilitate action on the Republican party measures and "steer" them through both branches to the satisfaction of the party, a program is arranged by the party leaders. These leaders operate in a group known as "The Steering Committee." There is a Republican Steering Committee in the Senate and one in the House. There is likewise a Democratic Steering Committee in the Senate and one in the House. The Republican Steering Committee, being in control, formulates the actual program followed by this Congress. The Democratic Steering Committees, although they have a program of their own, "steer" the opposition, particularly to the Republican party measures. This party line-up is often broken down, and in the present Congress has been challenged by the "Bloc" (See page 18).

On January 25, 1922, the Republican Steering Committee of the Senate and House held a joint meeting to discuss the program for the balance of this session of Congress. While no definite agreement was reached, there was an understanding between the two committees that the program could be so arranged that Congress might adjourn early in June.

The Steering Committees meet every week or ten days, and as soon as the tariff bill is reported to the Senate the program for the balance of the session will become more definite.

Representative Mondell, floor leader of the House, is chairman of the Republican Steering Committee of the House, and Senator Lodge, floor leader of the Senate, is chairman of the Republican Steering Committee of the Senate.

The Republican Steering Committee of the Senate is composed of the following members:

Henry Cabot Lodge of Mass., ex officio.	Joseph S. Frelinghuysen of New Jersey.	James W. Wadsworth, Jr., of New York.
Charles Curtis of Kansas, ex officio.	Bert M. Fernald of Maine.	Joseph I. France of Maryland.
Robert M. LaFollette of Wisconsin.	Medill McCormick of Illinois.	Frank B. Kellogg of Minnesota.

The Republican Steering Committee of the House is composed of the following members:

Frank W. Mondell of Wyoming, Ch'm.	George P. Darrow of Pennsylvania.	Thomas B. Dunn of New York.
Fred H. Gillett of Mass., ex officio.	Frank L. Greene of Vermont.	Sydney Anderson of Minnesota.
Nicholas Longworth of Ohio.	Everett Sanders of Indiana.	John I. Nolan of California.

The Democratic Steering Committee of the Senate is composed of the following members:

Oscar W. Underwood of Alabama.	Claude A. Swanson of Virginia.	Peter G. Gerry of Rhode Island.
Thomas J. Walsh of Montana.	Key Pittman of Nevada.	Ellison D. Smith of South Carolina.
Duncan U. Fletcher of Florida.	Gilbert M. Hitchcock of Nebraska.	John Sharp Williams of Mississippi.
	Joseph T. Robinson of Arkansas.	

The Democratic Steering Committee of the House is composed of the following members:

Claude Kitchin of North Carolina.	Whitnell P. Martin of Louisiana.	John F. Carew of New York.
James W. Collier of Mississippi.	John N. Garner of Texas.	Peter F. Tague of Massachusetts.
Charles R. Crisp of Georgia.	William A. Oldfield of Arkansas.	

*See The Glossary, Page 19.

The Steering Committee Program

Status on February 18, 1922 of Pending Legislation Slated For Action by the Republican Steering Committees of the Senate and House At Their Meeting, on January 25, 1922

TARIFF

The Fordney Tariff Bill (H. R. 7456) to provide revenue and regulate commerce with foreign countries, (embodying the American Valuation Plan) *passed the House on July 21, 1921. *Referred in the Senate to the Committee as Finance. It is expected that the bill will be reported to the Senate before the end of February.

†CO-OPERATIVE MARKETING

The Volstead Cooperative Marketing Bill (H. R. 2373) to authorize association of producers of agricultural products passed the House May 4, 1921. Was amended and passed by the Senate Feb. 8, 1922, and agreed to by the House on February 11, 1922.

RECLAMATION OF ARID LANDS

The McNary Bill (S. 2941) to encourage the reclamation of arid and swamp lands was approved by the Secretary of the Interior, on Feb. 17. The Senate Committee on Irrigation and Arid Lands to which the bill was referred expects to hold *hearings on the bill within a few weeks. The Borah-Bankhead Bill, S. 2194-H. R. 6048, dealing with this subject, emphasizing particularly soldier preference rights in the matter, is also pending action in Committee.

ADJUSTMENT OF FOREIGN LANDS

The Fordney Bill (H. R. 8762) creating a commission of 5 of which the Secretary of the Treasury is chairman, to adjust foreign loans, passed the House on Oct. 24, 1921, was amended and passed by the Senate on Jan. 31, and agreed to, as amended, by the House on Feb. 3, 1921.

SOLDIERS' BONUS

The Soldier Bonus Bill is still in preparation by the Ways and Means Committee of the House. On Feb. 16, the President sent a message to Congress recommending a Sales Tax to meet the expense of a soldiers' bonus, in case such a bill is reported.

MERCHANT MARINE

A *bill providing a government subsidy for the American Merchant Marine has not yet been introduced in Congress, due to the fact that the President has not yet made his recommendations on the subject. The bill will be drafted by either the House Committee on Commerce or the House Appropriation Committee, depending on the nature of the President's recommendations.

REORGANIZATION OF THE GOVERNMENT DEPARTMENTS

The Joint Commission on the Reorganization of the Government Departments has made its preliminary report to the President, outlining recommendations for changes in the organization of the Executive Departments of the Government. It was officially announced at the White House on February 17th that the President would not reach his conclusions in the matter for some time. Hearings will be held before a final report is submitted to Congress for action.

†RECLASSIFICATION OF GOVERNMENT EMPLOYEES

The Lehlbach Reclassification Bill (H. R. 8928) to provide for the classification of federal employees passed the House on December 15th, 1921. On Feb. 6, 1922, the Bill was reported favorably with amendments from the Senate Committee on Civil Service to the Senate and referred to the Committee on Appropriations for the consideration of salary schedules. Action by that Committee is expected within a few weeks.

ARMAMENT CONFERENCE TREATIES

The treaties agreed upon at the recent Conference on Limitation of Armament are in the hands of the Senate Committee on Foreign Affairs. The Committee's report is expected to reach the *floor of the Senate before the end of February.

ANNUAL *APPROPRIATION BILLS

Thirteen annual appropriation bills prepared by the new Bureau of the Budget, have reached the House Committee on Appropriations. Five of these have passed the House as follows:

1. The Treasury Department Appropriation Bill for 1923, H. R. 8724, passed the House January 6. Passed the Senate with amendments January 21. Agreed to by the House, February 7.
2. The Post Office Appropriation Bill for 1923, H. R. 9859, passed the House January 13. In the Senate referred to Committee on Post Office and Post Roads. Still pending in Committee.
3. The Independent Offices Appropriation Bill for 1923, H. R. 9931, passed the House on January 30. Reported with amendments by the Senate Committee on Appropriations, February 6.
4. The District of Columbia Appropriation Bill for 1923, H. R. 10101, passed the House on February 7. In the Senate referred to Committee on Appropriations. Still pending in Committee.
5. The Legislative Appropriation Bill for 1923, H. R. 10267, passed the House February 9. In the Senate referred to Committee on Appropriations. Still pending in Committee.

†See Page 9.

†See Page 8.

*See The Glossary, Page 10.

PUBLIC HEALTH LEGISLATION

Status of Public Health Measures in Committee

The Importance of the Committee in the House—

"It is by the agency of the committee that the House is able to work its way through the giant accumulation of new bills. Legislation in the House is distinctively, in all its formative stages, committee legislation. At this time, there are sixty-two committees in the House and these are the tributary mills that grind out the grist for the finishing operations of the main legislative body. As the House is to a far less extent than the Senate a parliamentary forum, it follows that the House committees play a relatively more important part in the actual work of legislation than those of the Senate."

In the Senate—
"The Senate committees until recently were more numerous than those of the House, and there are some differences in the titles of the corresponding committees of the two bodies; but on the whole there is little variance in their committee dealings with bills."—Wm. Tyler Page.

COMMITTEES CONSIDERING PUBLIC HEALTH LEGISLATION

As a result of a recent survey of all the public health measures in Congress, made by the magazine, it was found that there were approximately 150 such bills pending and that action on practically all of them has been delayed in committee owing to the crowded calendars of the various committees considering them, and to the heavy pressure for action by those committees on legislation demanding immediate attention—legislation more directly related to their committees.

NO PUBLIC HEALTH COMMITTEES IN CONGRESS

Thirty years ago a committee on public health of the House was abolished and last year, at the beginning of the 67th Congress, the Senate, in reducing the number of its committees from 75 to 34, abolished, among others, the Committee on Public Health and Quarantine. Thus neither House has a committee whose exclusive function is the consideration of public health measures and the result is that a bill touching on some phase of the health question may be sent to any one of a dozen or more committees in either House, the choice of the committee depending upon the specific provisions of each bill.

Five bills relating directly to the United States Public Health Service furnish an excellent guide to the manner in which health bills as a whole are handled under the present committee system of Congress. Each one of these bills is before a different committee.

Senate Bill 525, introduced by Senator Owen of Oklahoma, provides for the establishment of a sanitary reserve corps for the Public Health Service. This means that there shall be attached to the Health Service a sanitary corps which shall automatically become part of the army sanitary corps in the event of war. Therefore the bill was referred to the Senate Committee on Military Affairs, although the Health Service is under the Treasury Department.

Senate Bill 1787, introduced by Senator Gerry of Rhode Island, provides for certain amendments to existing law to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Public Health Service, Coast Guard and Geodetic Survey. As nearly all these services have to do with marine matters, the bill is before the Senate Committee on Naval Affairs.

House Bill 7541, introduced by Representative Sweet of Iowa, gives a commission to sanitary engineers in the Public Health Service. Because a question of interstate law enters into this bill, it is before the House Committee on Interstate and Foreign Commerce.

House Bill 7687, introduced by Representative Winslow, of Massachusetts, authorizes investigating boards of the Public Health Service to issue subpoenas to compel attendance of witnesses. This bill covers a legal question and consequently is before the House Committee on the Judiciary.

Senate Bill 2764, introduced by Senator Watson, of Indiana, provides for the reorganization of the Public Health Service and since certain financial points are covered by this bill, it was referred to the Senate Committee on Finance, the committee which handles most measures relating to the Treasury, under which the Health Service is administered.

REASONS FOR DELAY

However, the fact that the health bills are distributed about here and there among the House and Senate Committees is not responsible for the lack of progress in their consideration. As is always the case for the first year of a new administration, all the important committees have extremely heavy calendars. Before nearly every committee are bills which the party leaders have decided are of pressing importance and to which they have consequently given the right of way.

The committee chairmen are taking the various bills up in the order of what they and the party leaders consider their importance and it so happens that the turn of the health bills has not been reached.

Another factor in delaying consideration of a number of health bills that might have been brought

*See The Glossary, Page 19.

(Continued on Page 7)

PUBLIC EDUCATION LEGISLATION

Status of Important Education Measures in Congress

There are about fifty bills pending in the House and Senate which may be classified as public education measures, such as legislation affecting the education of aliens, legislation affecting the vocational education of the military and naval forces, legislation affecting education in the District of Columbia, legislation affecting the vocational education of citizens and the legislation affecting the general education of the public.

Little progress has been made on the majority of these bills owing to the congested condition of the legislative *calendar and the demands on Congress for the speedy passage of economic legislation and *party measures.

ACTION IN COMMITTEE

Within a few days the House Committee on Immigration and Naturalization, which has had the consideration of the majority of bills affecting alien education, expects to report out a new and comprehensive naturalization bill, which it is hoped will satisfy the universal demand for "Americanization" or citizenship legislation.

Another class of education bills which cannot complain of inaction is the legislation affecting education in the District of Columbia. The Committees on the District of Columbia in the House and Senate have been faced with a most serious situation which has caused considerable stir in the capital and which the April number of this magazine will discuss pro and con.

Legislation affecting the vocational education of the military and naval forces has been satisfied temporarily by the activities of the Veterans' Bureau.

Action in committee on legislation affecting the vocational education of citizens is practically at a standstill owing to the general inactivity of the House Committee on Education, where most of these bills are lodged.

The majority of the education bills in Congress, those affecting the general education of the public, are also in a jam due to the uncertain status of the Towner-Sterling Bill to establish a Department of Education, which is looked upon as the key, education bill in Congress, involving as it does the moot question of Federal aid in education.

The Towner-Sterling Bill has been held in abeyance, first, because the Administration Bill for a Department of Public Welfare provided that the present bureau of Education of the Department of the Interior should be transferred to the Department of Public Welfare, retaining only its present status as a bureau, and second, because the Department of Public Welfare Bill, itself, was held up pending the settlement of the general departmental reorganization program, on which a special Joint Commission has been working for some months.

The report of this Joint Commission is now in the hands of President Harding for review, and it was announced at the White House on February 17 that action on it need not be expected in the immediate future.

In the meantime the supporters of the Towner-Sterling Bill have become impatient at the delay in action on that measure. They disapproved from the first of the plan to hold the Bureau of Education down to its present form and in hearings before the House and Senate Committees, opposed its proposed inclusion in the Department of Public Welfare. (Discussed pro and con in a former number of this magazine.)

Now, owing to the delay due to the consideration of general reorganization plans, the supporters of the Towner-Sterling Bill have insisted that the House Committee on Education meet and consider it regardless of what may or may not be done about it in the reorganization plan. Representative Simeon D. Fess of Ohio, chairman of the Committee on Education, while unwilling to assume the responsibility of calling upon his committee to report the bill, has agreed to bring the committee together and let it take what action it chooses without using his influence one way or the other. Owing to the desire of the Administration to hold the bill up until the survey of the Departments was completed, the House Committee on Education has had no meetings at all this session.

Absence of activity on education bills has also marked the proceedings of the Senate Committee on Education and Labor this session. Several labor bills have been considered by it, but, like the House Committee, it has been awaiting executive action before considering educational problems. This work of the committee has been held up recently, owing to the announcement of its chairman, Senator Kenyon of Iowa, that he would resign from the Senate to accept the President's offer of an appointment as Judge of the Eighth Judicial Circuit Court of Appeals of the United States.

*See The Glossary, Page 19.

When President Harding sent his Department of Public Welfare Bill to Congress he asked Representative Fess to introduce it in the House and Senator Kenyon to introduce it in the Senate, since it was destined to come before the committees of which they were chairmen. While Mr. Fess and Senator Kenyon were both friends of the Department of Education Bill, they could not press it while standing sponsor in Congress for the Department of Public Welfare Bill.

It is almost certain that when Senator Kenyon retires from the Senate on March 1, he will be succeeded as chairman of the Committee on Education and Labor by Senator William E. Borah of Idaho. Senator Borah is ranking Republican on that committee. Several years ago he was chairman, relinquishing that position when the Democrats gained control of the Senate, to Senator Hoke Smith of Georgia, co-author with Representative Towner of the original Department of Education Bill. Senator Sterling of South Dakota, ranks next to Senator Borah, and if Senator Borah should find his work on the Committee on Foreign Relations so heavy as to handicap him in his work as chairman of the Committee on Education and Labor and should later give up the chairmanship, it will go to Senator Sterling.

With either Senator Borah or Senator Sterling at the head of the committee, friends of the Towner-Sterling Bill feel the measure will be sure of strong support.

This bill was discussed pro and con in the December number of this magazine. Further action on it and the other education bills will be reported next month.

PUBLIC HEALTH LEGISLATION

(Continued from Page 5)

forward otherwise is the fact that they carry appropriations. The efforts of Congress to work out economy schemes in line with the administration's budget policy has caused unavoidable delay in many phases of legislative work and, like many other types of legislation, the health bills have been governed by this policy.

In almost every instance when a committee receives a bill relating to bureaus or divisions of a given Executive Department, the committee sends the bill to the head of that Department with a request for a report. The bill lies dormant until that report is received. Sometimes the Cabinet Officer at the head of the Department in question reports in favor of the bill and sometimes he opposes it. While not final, the report of the Cabinet Officer on a bill affecting his Department always has great weight with a Congressional Committee.

Following is the list of Committees in the Senate before which Public Health Bills are pending:

Committees	Chairman
Education and Labor	
Interstate Commerce	Albert B. Cummins, Iowa
Appropriations	Francis E. Warren, Wyoming
Judiciary	Knute Nelson, Minnesota
Military Affairs	James W. Wadsworth, Jr., New York
Naval Affairs	Carroll S. Page, Vermont
Agriculture and Forestry	George W. Norris, Nebraska
Commerce	Wesley L. Jones, Washington
Public Buildings and Grounds	Bert M. Fernald, Maine
Claims	Arthur Capper, Kansas
Civil Service	Thomas Sterling, South Dakota
Public Lands and Surveys	Reed Smoot, Utah
District of Columbia	L. Heisler Ball, Delaware

Following is the list of Committees in the House before which Public Health Bills are pending:

Committees	Chairman
Ways and Means	Joseph W. Fordney, Michigan
Interstate and Foreign Commerce	Samuel E. Winslow, Massachusetts
Judiciary	Andrew J. Volstead, Minnesota
Indian Affairs	Homer P. Snyder, New York
Appropriations	Martin B. Madden, Illinois
Post Office and Post Roads	Halvor Steenerson, Minnesota
Rivers and Harbors	S. Wallace Dempsey, New York
Military Affairs	Julius Kahn, California
Naval Affairs	Thomas S. Butler, Pennsylvania
Territories	Charles F. Curry, California
Agriculture	Gilbert N. Haugen, Iowa
Public Buildings and Grounds	John W. Langley, Kentucky
Education	Simeon D. Fess, Ohio

*Vacancy caused by the resignation of Senator William S. Kenyon from the United States Senate on February 24, 1922.

PUBLIC ECONOMY LEGISLATION

The Sterling-Lehlbach Reclassification Bill H. R. 8928

Reported on February 6, with important amendments to the Senate by the Senate Committee on Civil Service. Referred to Senate Committee on Appropriations for consideration of salary schedules

Peculiar significance is attached to the passage of this bill in that it determines the salary rates of the employees of the United States Government—a rate which is recognized as a standard throughout the country. For instance, the librarians of the Congressional Library, the District of Columbia librarians and the Executive Department librarians are listed in this classification. The rate allotted to them by the bill will furnish the basis on which the salaries of librarians in other cities will be gauged. This is true of all the various classes of employees listed in the bill.—*Editor's Note.*

IMPORTANT AMENDMENTS MADE BY THE SENATE COMMITTEE ON CIVIL SERVICE.

The Civil Service Commission is recommended as the classifying agency instead of the Bureau of the Budget. The Bureau of the Budget is made the reporting and critical agency, and, of course, will be the estimating agency. It studies and reports on the system and makes recommendation to Congress in regard to the fairness and reasonableness of compensation as provided in the various schedules and in regard to the efficiency of the system, but it is not to be considered as the administrator of the system.

The legislation should provide that the schedules in the bill should be used for the field service in so far as they are applicable, and that the slower process of devising new schedules and reporting them to Congress should only be used for such positions in the field service as are not properly classifiable under the salary schedules of this bill. Provisions of this nature are substituted for the House provisions regarding the field service.

The bill as it passed the House makes no provision for the skilled trades and labor services. The Senate bills contained a skilled trades service and a common and specialized labor service, and for each grade of this service it was provided that "the compensation for classes of position in this grade shall be in accordance with the prevailing practice." These schedules have been inserted as amendments to the House bill with this added provision:

Such practice shall be determined by agreement between the head of the department and a representative of the class effected, such agreement to be subject to the approval of the Bureau of the Budget.

The best practice appears to be to let the small number of cases that are above grade continue for a year at least so that the Congress may know how many there are and what their nature is rather than blindly to legislate them out of existence.

The House bill contained an "institutional service" to include nurses. It has seemed entirely practicable that nurses whose duties require them to pursue a professional or scientific training equivalent to that represented by graduation from a college or university of recognized standing shall be included in the professional service, and that other nurses who are not required by their duties to have attained full professional standing shall be classified in the subprofessional service.

Three other occupations included in the professional service are "editing," "illustrating," and "transportation."

A general increase in salary over the provisions of the House bill is recommended by the Senate Committee for all of the professional grades and for one or two grades of the sub-professional and clerical groups. Provision is also made by the Senate Committee to include in the salary of the grade affected, the separate maintenance provisions of the House bill.

Complete exemption from the provisions of the bill was granted by the Senate Committee to "school librarians, school attendance officers, and employees of the community center department in the District of Columbia;" also to the "commissioned personnel of the Public Health Service and the Coast and Geodetic Survey."

A NEW PUBLIC ECONOMY LAW THE "CO-OPERATIVE MARKETING ACT"

OUTLINE OF CAPPER-VOLSTEAD CO-OPERATIVE MARKETING ACT (H. R. 2373)

PURPOSE

Persons engaged in the production of agricultural products may act together in associations, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce, such products of persons so engaged. Such associations may have marketing agencies in common; and may make the necessary contracts and agreements to effect such purposes: Provided, That such associations are operated for the mutual benefit of the members and conform to one or both of the following requirements: That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein, or That the association does not pay dividends on stock or membership capital in excess of 8 per centum per annum. In any case the association shall not deal in the products of nonmembers to an amount greater in value than such as are handled by it for members.

VIOLATION

If the Secretary of Agriculture shall have reason to believe that any such association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any agricultural product is unduly enhanced, he shall serve upon such association a complaint stating his charge, specifying a day and place, requiring the association to show cause why an order should not be made directing it to cease and desist from monopolization or restraint of trade. An association so complained of may at the time and place so fixed show cause why such order should not be entered. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association monopolizes or restrains trade, etc., he shall issue an order directing such association to cease and desist from monopolization or restraint of trade. On the request of such association or if such association neglects for thirty days to obey such order, the Secretary of Agriculture shall file in court a copy of the order and the proceeding, with a petition asking that the order be enforced, and give notice to the Attorney General and to said association of such filing. Such court shall have jurisdiction to enter a decree affirming, modifying, or setting aside said order, or enter such other decree as the court may deem equitable.

ENFORCEMENT

The Department of Justice shall have charge of the enforcement of such order. After the order is filed in court pending review the court may issue a temporary writ of injunction forbidding such association from violating such order. The court may, upon conclusion of its hearing, enforce its decree by a permanent injunction or other appropriate remedy.

ITS VALUE TO AGRICULTURE

By HENRY C. WALLACE

*Secretary of Agriculture

Special to The Congressional Digest.

Washington, February 21—The Capper-Volstead cooperative marketing law, signed by the President Saturday, is the result of several years of effort on the part of farmers to clear up their legal, and therefore their economic, status from a national standpoint.

The new law expressly authorizes farmers and others engaged in the production of agricultural products, including nut and fruit growers, to act together in associations for the purpose of marketing their products collectively in interstate and foreign commerce.

On the other hand, the interests of consumers and the public generally are safeguarded, since the Secretary of Agriculture is authorized to proceed against an association of this sort if he finds that it is operating in restraint of trade to the extent that prices of farm products are unduly enhanced. For such cases, a special proceeding is authorized. The Secretary of Agriculture will hold hearings and determine all the facts before action is taken in the courts.

These associations may incorporate, or not, according to the wishes of their members, and have capital stock if they so desire. They may also have marketing agencies in common. They must be operated for the mutual benefit of their members but may also deal in the products of non-members, with the express limitation that the value of such products must not exceed the value of the products of their members. It is required that they comply with either of the provisions that no member shall have more than one vote and that dividends shall not exceed eight per cent.

Farmers have also felt that conditions governing the marketing of their products are essentially different from those governing the marketing of the products of other industries, and that if they are to be on a comparable basis without being deprived of individuality in production, they must have the right to bargain collectively.

The new law expressly recognizes these contentions and greatly reduces the possibility of litigation which farmers' marketing associations have frequently faced in the past when they have associated themselves together for their mutual benefit.

*See Page 17.

PUBLIC CONDUCT LEGISLATION

History of Anti-Lynching Legislation in Congress

A bill to punish the crime of lynching was first introduced in the 57th Congress, on December 2, 1901, by Representative Wm. H. Moody, of Massachusetts. Mr. Moody became Attorney General of the United States and later Associate Justice of the United States Supreme Court.

His idea in framing Federal Legislation to handle the lynching problem, was to enforce the provisions of the 14th Amendment to the Constitution which guarantees to every citizen of the United States the equal protection of the law and denies or prohibits the passage of any law by any State denying the equal protection of the law.

This underlying principle of the anti-lynching legislation obtains in the present* measure, H.R. 13 pending in Congress and lays the foundation for many bills similar to Mr. Moody's subsequently introduced by other members. Representative Dyer, of Missouri, author of H. R. 13, followed Mr. Moody as an ardent advocate of Federal anti-lynching legislation. Beginning with the 62nd Congress in 1911, Mr. Dyer has introduced a constant succession of anti-lynching bills. In 1913, the 64th Congress, Representative Dallinger of Massachusetts, took up the fight and has also introduced anti-lynching measures constantly in every succeeding Congress, including the present one.

Public* hearings have been held from time to time by the House Judiciary Committee, where the bills were referred, to determine public sentiment on the issue as well as to settle contested points of constitutionality involved in such legislation. In 1918, anti-lynching legislation took on a significant aspect due to war conditions and a special hearing was held in June of 1918, on the Dyer bill H. R. 11270, to hear testimony from the Military Intelligence Branch, of the War Department.

No report was made by the Committee and the bill died with that Congress. In the 66th Congress public hearings were again held, from Jan. 15-29, 1920, at which many individuals and organizations, mostly of the colored race, testified in support of Federal anti-lynching legislation. The opposition to such legislation, which constitutes almost the entire south, where the Negro problem still overshadows the peace of every community, has never appeared at these hearings. Their reasons for decrying federal intervention in a problem peculiar to their locality, are a point beyond argument according to their Representatives in Congress, who maintained a solid front against the bill when it reached the floor of the House.

After the hearing held in the 66th Congress, the Judiciary Committee reported the Dyer bill to the House. No action was taken by that body and the bill died with the Congress.

Four anti-lynching bills appeared in the House of Representatives with the 67th Congress, two Dyer bills, another by Mr. Dallinger, and one by Mr. Gahn of Ohio, who is serving his first term in Congress. All of these bills were again referred to the House Judiciary Committee. The question at issue was on the constitutionality of a Federal anti-lynching law, and extensive legal reports and decisions were presented at hearings held before the Committee in June, July and August.

On Oct. 31, 1921, the Dyer bill H. R. 13, greatly altered and shortened by Mr. Volstead, chairman of the House Judiciary Committee, was reported to the House favorably with amendments (Report No. 452) and placed on the House Calendar.

On Dec. 19th, a long bitter debate on the bill was launched on the floor of the House and continued until Jan. 26th, 1922, when the bill was passed by a vote of 236-119. The bill went to the Senate and was referred to the Senate Committee on the Judiciary, where it rests today. That Committee already has before it S. 2791, a bill introduced by Senator France, of Maryland, on December 6th, 1921, which is similar in purpose to the Dyer bill.

Early in the first session of the 67th Congress a bill S. 409 was introduced by Senator McCormick of Illinois, to create a Commission to investigate the lynching question, and another was introduced by Senator Spencer, of Missouri, to investigate the racial question. Since none of these bills have been acted upon by the Committee they have not yet been discussed on the *floor of the Senate.

*See The Glossary, Page 19.

Outline of Dyer Anti-Lynching Act

(H. R. 13) As Passed by House of Representatives, January 26, 1922.

(The phrase "mob or riotous assemblage," when used in this Act, shall mean an assemblage composed of three or more acting in concert for the purpose of depriving any person of his life without authority of law as a punishment for or to prevent the commission of some actual or supposed public offense.)

PURPOSE

If any State or governmental subdivision thereof fails, neglects, or refuses to provide and maintain protection to the life of any person within its jurisdiction against a mob or riotous assemblage, such State shall by reason of such failure, neglect, or refusal be deemed to have denied to such person the equal protection of the laws of the State, and, to the end that such protection as is guaranteed to the citizens of the United States by its Constitution may be secured, it is provided:

OFFENSE AND PUNISHMENT

That any State or municipal officer charged with the duty to protect the life of any person that may be put to death by any mob or riotous assemblage, who fails, neglects, or refuses to make all reasonable efforts to prevent such person from being so put to death, or any State or municipal officer charged with the duty of apprehending or prosecuting any person participating in such mob or riotous assemblage who fails, neglects, or refuses to make all reasonable efforts to perform his duty in apprehending or prosecuting to final judgment under the laws of such State all persons so participating, shall be guilty of a felony, and upon conviction shall be punished by imprisonment not exceeding five years or by a fine of not exceeding \$5.00, or by both such fine and imprisonment.

Any State or municipal officer, having in his custody or control a prisoner, who shall conspire, combine, or confederate with any person to put such prisoner to death without authority of law as a punishment for some alleged public offense, or who shall conspire, combine, or confederate with any person to suffer such prisoner to be taken or obtained from his custody or control for the purpose of being put to death without authority of law as a punishment for an alleged public offense, shall be guilty of a felony, and those who so conspire, combine, or confederate with such officer shall likewise be guilty of a felony. On conviction the parties participating therein shall be punished by imprisonment for life or not less than five years.

Any act committed in any State or Territory of the United States in violation of the rights of a citizen or subject of a foreign country secured to such citizen or subject by treaty between the United States and such foreign country, which act constitutes a crime under the laws of such State or Territory, shall constitute a like crime against the peace and dignity of the United States, punishable in like manner as in the courts of said State or Territory, and within the period limited by the laws of such State or Territory, and may be prosecuted in the courts of the United States, and upon conviction the sentence executed in like manner as sentences upon convictions of crimes under the laws of the United States.

JURISDICTION

The district court of the judicial district wherein a person is put to death by a mob or riotous assemblage shall have jurisdiction to try and punish, in accordance with the laws of the State where the homicide is committed, those who participate therein: Provided, that it is first made to appear to such court that the officers of the State charged with the duty of prosecuting such offense under the laws of the State fail, neglect, or refuse to apprehend or punish such participants, or that the jurors for service in the State court having jurisdiction of the offense are so strongly opposed to such punishment that there is no reasonable probability that those guilty of the offense can be punished in such State court. A failure for more than thirty days after the commission of such an offense to apprehend the persons guilty thereof shall be prima facie evidence of such failure, neglect, or refusal.

FORFEITURE

Any county in which a person is put to death by a mob or riotous assemblage shall forfeit \$10,000, which sum may be recovered by an action in the name of the United States against such county for the use of the family of the person so put to death; if he had no family, then to his dependent parents; otherwise for the use of the United States. Such action should be brought and prosecuted by the district attorney of the United States of the district in which such county is situated in any court of the United States having jurisdiction therein. If such forfeiture is not paid upon recovery of a judgment, such court shall have jurisdiction to enforce payment by levy of execution upon any property of the county, or may compel the levy and collection of a tax, or may otherwise compel payment by mandamus or other appropriate process; and any officer of such county or other person who disobeys or fails to comply with any lawful order of the court in the premises shall be liable to punishment as for contempt and to any other penalty provided by law.

In the event that any person so put to death shall have been transported by such mob or riotous assemblage from one county to another county during the time intervening between his capture and putting to death, the county in which he is seized and the county in which he is put to death shall be jointly and severally liable to pay the forfeiture.

Report of House Judiciary Committee on Dyer Anti-Lynching Bill (H.R. 13)

October 31, 1921

Pro

MAJORITY REPORT

The prevalence in many States of the spirit which tolerates lynching, accompanied too often with inhuman cruelty, and the inability or unwillingness of the public authorities to punish the persons who are guilty of this crime, threaten very seriously the future peace of the Nation. Not only is lynching a denial of the right secured by law to every man of a fair trial before an established court in case he is charged with crime, not only does it brutalize the communities which suffer it by breeding a spirit of lawlessness and cruelty in the young people who see barbarities unpunished and uncondemned, not only does it terrorize important bodies of our citizens, but it inevitably leads the people whose rights are thus trampled upon to leave the regions where their lives, their families, and their property are in danger, and move to others where they can find peace and protection, thus disturbing the labor situation all over the country.

Patriotic citizens throughout the country feel the shame which lynchings cast upon the Nation. The time has come when the United States can no longer permit the setting at naught of its fundamental law. We can no longer permit open contempt of the courts and lawful procedure. We can no longer endure the burning of human beings in public in the presence of women and children; we can no longer tolerate the menace to civilization itself which is contained in the spread of the mob spirit.

It is made the duty of the Congress under the Constitution to enact such laws as may be needful to assure that no State shall deny to any person within its jurisdiction the equal protection of the laws. Within the limits of the jurisdiction thus conferred the Congress has the right to exercise its discretion as to what laws or what means can best accomplish the desired end.

The bill reported by this committee seeks to prevent lynchings as far as possible; (1) by punishing State and municipal officers who fail to do their duty in protecting the lives of persons from mobs; (2) to punish the crime of lynching; and (3) to compel the county in which the crime is committed to make compensation.—Extract.

Con

MINORITY REPORT.

This bill, in the judgment of the minority, is without constitutional warrant. It is definitely and directly antagonistic to the philosophy of our system of government, and within the limit of its effectiveness, if it should be held constitutional, would be destructive of that system.

If enacted and operative it would not add to the protection of person or the general efficiency of government, or strengthen the relationship between the Federal Government and the States. On the contrary, this proposed intervention of the Federal Government directed against local power, supplanting and superseding the sovereignty of the States, would tend to destroy that sense of local responsibility for the protection of person and property and the administration of justice, from which sense of local responsibility alone protection and governmental efficiency can be secured among free peoples.

This bill challenging as it does the relative governmental efficiency of the States and the integrity of purpose of their governmental agencies, placing the Federal Government, as it does, in the attitude of an arbitrary dictator assuming coercive powers over the States, their officers, and their citizens, in matters of local police control, would do incomparable injury to the spirit of mutual respect and trustful co-operation between the Federal Government and the States essential to the efficiency of government.

As a precedent, this bill, establishing the principles which it embodies and the congressional powers which it assumes to obtain, would strip the States of every element of sovereign power, control, and final responsibility for the personal and property protection of its citizens, and would all but complete the reduction of the States to a condition of governmental vassalage awaiting only the full exercise of the congressional powers established.

H. W. SUMNERS, Texas.

A. J. MONTAGUE, Va.

J. W. WISE, Ga.

J. N. TILLMAN, Ark.

F. H. DOMINICK, S. Car.

The House Debates the Dyer Anti-Lynching Bill

JANUARY 4-26, 1922

Pro

HON. LEONIDAS C. DYER, MISSOURI

*Author of Bill.

"My interest in this legislation comes from lynchings that have occurred in my own State, which have been quite numerous, too numerous, of course, and some of them have been very disgraceful. My special interest in this legislation came five years ago, when at the very doors of my house, in the city of East St. Louis, Ill., occurred one of the most disgraceful lynchings and riots known in civilization. In that lynching and in that mob riot there were 100 and more persons injured and killed—innocent men and innocent women.

"The charge that this legislation is aimed at any section of the country, or that any particular section of the country is in favor of lynching is an absolute untruth. I have taken pains to gather extracts from papers all over the country and have gathered them from Southern States as I have from Northern States. I find that the press and the good people of the Southland are as much against this crime as are the press and the good people of the Northland. It is only the criminal element, the mob spirit that is in favor of this outrage against human life and human justice.

"The Tennessee conference of charity and correction, which met at Memphis in 1918, passed resolutions calling on the President to appeal to the people of the South against lynching, and its resolutions concluded not only in appealing to the President, but also says that, whereas such acts do in fact amount to a crime against the Nation, 'we do further petition Congress to pass an act so declaring, and give Federal grand juries and the courts the right to indict and try these charges thereunder.' Not only that, but I have other petitions to the President and the Congress begging that action be taken so that the United States courts may have jurisdiction to investigate and try men charged with this crime.

"If this bill is enacted into law, it will help to save the lives of human beings and to protect communities from mobs and these lynchings that have come to disgrace our Republic.

"The Constitution of the United States gives us the authority to legislate. We brought before our committee distinguished lawyers to argue and consider the constitutionality of it. The Attorney General of the United States says the bill is constitutional.

"There is no way to keep people from continuing to commit this crime except to bring in a law that will give the courts of the United States jurisdiction, and thereby bring the juries from other sections to consider the offense who will not be afraid to indict."

†The Senate has not yet debated the Dyer Anti-Lynching Act.

*See Page 17 for biography.

Con

HON. HATTON W. SUMNERS, TEXAS

Leader of Opposition.

"I assume that there is no difference of opinion among men representing the different sections of the country in reference to the fact that the crime of lynching is a crime which nobody can defend, a crime which must be suppressed. The question is how best to proceed to do the thing that ought to be done. We people who believe we understood the situation are convinced that you men are fixing to cut the cord that holds in leash the passion of race conflict in the South and bring to the South such tragedies as that of East St. Louis, in which almost as many people were killed in that one city in one riot as are killed in the entire South by mobs in two years.

"Nobody on this earth can protect the black man who is in danger of such mob violence except the people in the community at the very time of the danger. If the Federal Government interposes its power, assumes responsibility now borne entirely by the people, so that the man on the ground will feel it is not his duty to protect, but that the Federal Government has stepped in and will take care of the situation, then you are likely to turn loose the passions of race conflict in that community.

"Suppose this other thing happens—and you can do it under this bill—suppose that a black man takes a little white child and drags her off into seclusion where no voice can hear and no hand can help, and the father of that child and the brothers of the child come up on him, and the Federal Government takes them away in the face of public sentiment and places them in the Federal penitentiary, and then has a tax of \$10,000 levied against the county for the benefit of the culprit's family, a part of which sum might go to buy that family an automobile to ride by the home of the innocent victim, do you think, as a matter of common sense, with such a policy you could long prevent a condition it that country like those which developed in East St. Louis, Omaha, and Chicago?

"This bill has incorporated therein provisions which no lawyer in this House or elsewhere can defend. Yet you will be asked to pass the bill. They whisper in your ears 'political expediency' and ask you to yield to it. That is the same whisper which comes to the ear of the sheriff when the mob is battering at the jail door. A wonderful example they ask you to set to the constabulary of this country."

Further Debate in the House on the Dyer Anti-Lynching Bill

Extracts from Speeches Made on the Floor of the House of Representatives.

Pro

HON. ANDREW J. VOLSTEAD, MINNESOTA

"When a State fails to punish those who commit mob murder, it fails to afford due process of law and the equal protection of the laws. Aside from immediate police protection, which in most instances cannot be given, the one method recognized and relied on by every government as the appropriate, the necessary, and effective means for protecting persons against lawlessness is the punishment of those who violate law.

"There is nothing in the language of the fourteenth amendment that prohibits action against individuals when the State makes default; that is, if Congress has power to enforce its plain purpose, and I can see no sense in refusing to apply to this amendment the familiar rule that it must be construed so as to carry out its purpose. The contention that such a construction is inadmissible because it would give the Federal courts jurisdiction of every criminal offense is an argument against a policy and not against the power of Congress. It is the function of Congress and not the courts to determine policies."

HON. RICHARD YATES, ILLINOIS

"This bill is a good bill and ought to pass, because it is a bill for law and order—for order against disorder, for law against lawlessness.

"It is not a bill for or against the South or any section; it is not a bill for or against the white man or any other color; it is a bill to enthrone order and to dethrone disorder.

"Mob spirit strikes at all Government and legislation concerning it is not and cannot be in this day and generation peculiar to any one section of the land. This bill is not an imputation on one section of our united country, namely, the South. It may be so construed by some men too sensitive. It may affect temporarily that section more than another. But mob law has entered other States, many States, almost all States.

"The great Government of the United States and the great Congress of the United States can do no more righteous work, and no more vital work for our children and our children's children than to stamp this monster, this brutality, this demon into the earth."

Con

HON. WM. C. WRIGHT, GEORGIA

"I do not palliate or condone the violation of law, and condemn lynching and mob law in any form. One of its dangers is, there is no limit to its jurisdiction. But I am equally opposed to a violation of the Constitution under the guise of the enactment of a law which if enacted and enforced would be clearly subversive of the plain term of the Constitution and destructive of our system of government and the institutions and principles upon which it was founded.

"The Dyer anti-lynching bill is not only pernicious and unjust, but is clearly violative of the plain terms and provisions of the Constitution and contrary to the genius and spirit of our institutions and time-honored traditions.

"It not only encroaches upon, but obliterates the rights of the sovereign States and seeks to substitute Federal for State laws, and transfer from the State to the Federal courts a class of offenders for the trial and punishment of whom ample provision has already been made by laws of the several States."

HON. R. WALTON MOORE, VIRGINIA

"In Virginia, instances of mob violence resulting in homicide have become so infrequent that we can regard lynching as practically a thing of the past in that State, due to the enforcement of the laws, supported by a strong public opinion.

"And what has happened in Virginia is going on in the other Southern States. He must be a very pessimistic American who thinks we will not work the problem out in the manner now pursued and without formal legislation, and he must be a very blind Member of this body who cannot see that legislation of this kind is more than apt to increase the offenses that we all desire to do away with. There are strong possibilities in that direction. It is not improbable if this bill is enacted into law it will defeat its declared purpose. It may serve to discourage and weaken the operation and influence of public opinion in upholding and insisting on the enforcement of State laws."

Pro

HON. FREDERICK W. DALLINGER
MASSACHUSETTS

"The members of the House appear to be unanimous on the question of the existence and the undesirability of the crime of lynching. We are all agreed on that, and every man that has spoken either for or against this bill professes to be in favor of stopping this awful blot on American civilization. Neither is there any question about the demand for Federal legislation. I hold in my hand a memorial from men and women representing one-tenth of the entire citizenship of this country, who are asking for this legislation. There was a time when a great statesman from my State was censured by the House of Representatives for presenting a petition signed by black men, but thank God that time has gone, as they are now citizens of the United States under the provisions of the Constitution and are entitled to be heard.

"There is no question about the demand for some Federal legislation that shall deal in a comprehensive way with the whole question of preventing, if possible, this barbaric practice and of protecting the lives of American citizens and of citizens of other countries in cases where the State authorities neglect or refuse to perform that imperative duty. There is no question at all but that the provisions of this bill which punish the officers of a State for refusing or denying to the citizens of the United States the equal protection of the law are constitutional under the provisions of the fourteenth amendment."

HON. THEODORE E. BURTON, OHIO

"The passage of this bill should not be regarded as raising a sectional question. You gentlemen of the South, as well as the rest of us, condemn this terrible reproach upon our civilization. We are entering a new era now in these wonderful years succeeding the war. We should enter that era with new ideals as to equality, as to liberty, as to the sacredness of human life. It is not enough that we are great in material civilization. We have no fear from the pestilence that walketh in darkness or the destruction that wasteth at noonday, but we have for the more insidious attack upon the very framework of our institutions from those outbursts of violence which disgrace the land, from the brutality, the murder, the disregard of law and order; and for one as I stand here I am not ready to assume the responsibility of failing to take every possible step to bring to an end this condition and substitute for it universal protection by the broad shield of the United States over every citizen in the Republic, however weak, however humble, whatever his race, whatever his color."

Con

HON. FINIS J. GARRETT
TENNESSEE

"Do these gentlemen realize that when they vote for this bill they are voting to put the whole police force of their city and State absolutely under the control of the Federal Government?

"Can gentlemen from the western coast, who are confronted with a racial problem, fail to realize that in a very few years, if this bill shall pass and be sustained by the court, an overwhelming majority of representatives from other sections of this country, in order to avoid the dangers of war, will rise up and crush their just local institutions and practices on the western coast in regard to their schools and their alien land laws?

"This measure is confessedly in violation of the Constitution of the United States. If we can but center the attention of the bar of this country, if we can but center the attention of the officers of the States and of the municipalities who are to be brought within the purview of this act, if we can but center the attention of the great masses of people upon the fact that here, by this law, by law of Congress, we are to destroy the Constitution and to do violence to all the philosophy upon which our dual systems of government rest, we will be ready to meet that issue, those of us who oppose this bill."

HON. THOS. W. BELL, GEORGIA

"In my judgment the bill now being considered, if it should be adopted, would be, without avail, dangerous and fraught with many consequences. We are drifting too much to Federal control of our affairs, and the day is coming, in my judgment when the Nation will suffer on account of our tendencies and activities. We must halt. We cannot afford to continue to further disregard the spirit and letter of the Constitution and usurp police powers delegated to the States. That this measure is sectional in its nature there is no doubt. That it has some political significance there appears but little question. If this is the thought which engages the proponents of this measure, they will find themselves badly mistaken in the result.

"To advocate political equality between the races carries with it social equality, as it would be impossible to separate one from the other to a certain and marked degree. To wish upon the South a division of political preferences with the Negro is something which will never be tolerated and should not be advocated by anyone."

THE CONGRESSIONAL RECORD

Official Publication of the United States Congress

WHAT IT IS

The Congressional Record is a printed, daily, verbatim report of the proceedings of Congress.

ITS HISTORY

In contrast with the speed and efficiency with which The Congressional Record of today is dispatched, is the memory of laborious and painstaking efforts in the late seventies to keep a daily record of the proceedings of Congress by long-hand reporting.

This record was first attempted in 1789, and was known as the Annals of the Congress of the United States. It was printed by a private printing establishment in Washington, the contract being let by the bid system. In 1824 the name was changed to Debates of Congress, and in 1833 to The Congressional Globe. It was not until 1873 that it took its present name of The Congressional Record. Although the Government Printing Office was established by Congress in 1852, it was not until recent years that that office has been able to handle the output of the daily Record.

In view of the heavy work of Congress in the past few years, with both branches in steady session, often late into the night, the "job" of keeping a verbatim report has required the most modern methods. There are six official shorthand reporters in the Senate and six in the House, and the work is relayed from one to another in 10-minute periods. At the end of his 10-minute period the reporter quickly transcribes his notes, and in the case of a speech, when the congressman is permitted to "read copy" the reporter submits his report for revision and correction to the members. At the end of the day's session the copy is sent to the Printing Office and the finished product delivered in the first mail the following morning.
(To be continued next month.)

ITS DIGEST

This Digest covers the period from January 15 to February 15, and includes all action in the Senate and House on legislation affecting public health and education.
(Scope to be extended month by month.)

JANUARY 19, 1922

IN THE SENATE—Introduced by Senator Ball. A bill (S. 3030) to provide one-half fare for children riding on the street railways operating within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

IN THE SENATE—Introduced by Senator Johnson. A bill (S. 3034) same as S. 3030. A bill (S. 3031) to provide for the establishment and maintenance of a forest experiment station in cooperation with the University of California; to the Committee on Agriculture and Forestry.

FEBRUARY 6, 1922

IN THE HOUSE—Introduced by Representative Curry. A bill (H. R. 10295) authorizing the Secretary of the Navy to detail active or retired officers of the Navy as instructors in naval and military science at certain schools and colleges, and for other purposes; to the Committee on Naval Affairs.

FEBRUARY 8, 1922

IN THE HOUSE—A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of Labor for the fiscal year ending June 30, 1923, amounting to \$1,240,000, for the promotion of the welfare and hygiene of maternity and infancy under the provisions of the act of November 23, 1921.

FEBRUARY 14, 1922

IN THE SENATE—Introduced by Senator Watson of Indiana. A bill (S. 3151) to reorganize and to promote the efficiency of the United States Public Health Service; referred to the Committee on Finance.

IN THE SENATE—Submitted by Senator Fletcher. An amendment to the bill (S. 3136) to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, and for other purposes.

THE CONGRESSIONAL DIRECTORY

Official Publication of the United States Congress

WHAT IT IS

The Congressional Directory is the "Blue Book" of the Federal Officers of the United States and the "Almanac" of Congress. It is printed for the "use of the United States Congress," and is subject to more practical reference than any other book in the Capitol, not only by the members of Congress and their offices, but by every one who must acquaint himself with the structure of the Federal Government.

ITS HISTORY

The Congressional Directory dates back to 1776. It was first printed in pamphlet form and without definite regularity. In 1878 these pamphlets were compiled and printed in one volume, known as the Statistical Record of the Federal Officers of the United States. Beginning with the 37th Congress, in 1860, one Congressional Directory was printed for each session of Congress, and was carefully filed in the Senate Library. Beginning with the 47th Congress, in 1881, the Congressional Directory became a public document. As such it was necessary for every Congress to provide for its publication by special motion. In the 64th Congress this method of providing for it was superseded by an act of Congress, which authorized the Directory to be compiled, printed and distributed as a permanent official publication. Under this provision two editions of the Directory may be issued in a short session of Congress, and three in a long session. The color of the bindings alternate for convenience. The first edition in a Congress is Red, the second Blue and the third Green. In the 67th Congress only one edition (Red) of the Directory was printed. The first edition of the second session was Blue and the second edition for this session, which has just been issued, is Green. A certain number of copies of the Directory are placed at the disposal of each Senator and Representative, and the public may buy copies if ordered in advance.

ITS DIGEST

Because of constant changes in the Directory, corresponding to the changes in the Government personnel, The Congressional Digest will devote this department each month to extracts from the latest Directory corresponding to references made thereto by the current number of the magazine. Biographies will be confined to the authors of the bills discussed in the current number, and cabinet members.

AUTHOR OF ANTI-LYNCHING BILL

Honorable L. C. Dyer, Representing the Twelfth District of Missouri.

HIS BIOGRAPHY—

Leonidas Carstarphen Dyer, Republican, of the city of St. Louis, was born on a farm in Warren County, Mo.; was educated in the public schools, Central Wesleyan College, of Warrenton, Mo., and the Washington University, of the city of St. Louis, Mo.; is married, and has two daughters—Martha and Catherine; his father, James Coleman Dyer, and his mother, Martha Emily (Camp) Dyer, came to Missouri in its early history with their parents from the States of Virginia and Kentucky, respectively; served as assistant circuit attorney of the city of St. Louis; was in the war with Spain; served as colonel on the staff of Gov. Herbert S. Hadley, of Missouri; was elected to the Sixty-second Congress. Re-elected to the Sixty-fourth, Sixty-fifth, Sixty-sixth, and Sixty-seventh Congress.

SECRETARY OF AGRICULTURE

Henry C. Wallace, Cabinet Member

HIS OFFICIAL DUTY—

The Secretary of Agriculture is charged with the work of promoting agriculture in its broadest sense. He exercises general supervision and control over the affairs of the department and formulates and establishes the general policies to be pursued by its various branches and offices.

HIS BIOGRAPHY—

Henry Cantwell Wallace, of Des Moines, Iowa, was born at Rock Island, Ill., May 11, 1866, son of Henry and Nannie (Cantwell) Wallace; B. S. A. Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa, 1892; married Carrie May Brodhead, of Muscatine, Iowa, November 24, 1887; farmer and breeder of pure-bred live stock, Adair County, Iowa, 1887-1891; professor of dairying, Iowa State College, 1893-1895; editor Creamery Gazette and Farm and Dairy, 1893-1895; manager and associate editor Wallace's Farmer, 1895-1916; editor of same 1916-1921; president and treasurer Wallace's Publishing Co. and Capital City Printing Plate Co.; director Central State Bank; member United States Live Stock Industry Commission (executive committee) during the war; secretary Corn Belt Meat Producers' Association 16 years; member National War Work Council, Y. M. C. A.; chairman Iowa War Work Council, Y. M. C. A.; chairman State Executive Committee, Iowa Y. M. C. A., 1914-1920; member international committee, Y. M. C. A.; member executive committee, Roosevelt Memorial Association; member Delta Tau Delta, Phi Kappa Phi; Republican; United Presbyterian; Mason; member Prairie, Des Moines, Grant, Golf, and Country Clubs; member Rock Creek Park Commission, National Forest Reservation Commission, Federal Board for Vocational Education, Federal Power Commission, and War Finance Corporation.

QUERY COLUMN

Answers by HON. WM. TYLER PAGE,

Clerk of the House of Representatives of the United States Congress.

In this Department Mr. Page Answers Inquiries Submitted to the Magazine on Legislative Procedure in Congress.

Address all Queries to The Congressional Digest, Munsey Building, Washington, D. C.

THE "BLOC" EXPLAINED

Query: What is meant by the "Bloc" in Congress?

Answer: This term is applied to any group of legislators whose united numerical strength is sufficient to insure the enactment of legislation of interest primarily to their communities, or to those engaged in certain pursuits, and to prevent legislation injurious thereto. The strength of such an alliance is that party lines are disregarded, the "bloc" consisting of democrats and republicans alike, in the aggregate representing positive and negative power of such proportions as to tip the legislative scales.

The "bloc" is something new in Congress. It comprehends a legislative program, offensive and defensive. It is not confined to a single measure such as a public building or a river and harbor bill, and should not, therefore, be confused with "log-rolling."

There have been groups in Congress in the past, but they have been political groups such as the "Greenbackers"—"Nationalists"—"Farmers' Alliance"—"Populists"—"Progressives," etc., with well defined political platforms covering a variety of subjects, as well as one dominant purpose or policy.

Perhaps the term "bloc," as now applied is borrowed from a foreign legislative body where political parties and groups are so numerous as to invite coalition in order to accomplish the purpose of any one of them; or it may have its derivation from the use in the House of "En bloc" as applied to a number of amendments to a bill voted upon together, not separately. When a bill is reported from the Committee of the Whole with sundry amendments it is customary to vote separately on a few of the amendments and on all of the remainder in gross—or "En bloc."

NO NATIONAL HOLIDAYS

Query—"How many days have been set aside by the Government as National Holidays?"

Answer—There are no so-called National Holidays in law. In creating a holiday such as Christmas Day, Independence Day, Labor Day, etc., Congress by law made such days legal holidays within territory over which the United States Government has jurisdiction, usually in the District of Columbia, the Seat of Government. Then, as in most instances, the States in turn, following the example of Congress have severally made such days legal holidays within those States; and where this has been done uniformly, days so made legal holidays have come to be called "National Holidays." But there are no National Holidays in the strict legal sense of the term.

Those days which may be called National Holidays because of their universal observance as legal holidays by all of the States, Territories and insular possessions, are: New Year's Day, Washington's Birthday, Independence Day and Christmas Day. Thanksgiving Day, while observed generally, is not a legal holiday in one State—Utah.

Armistice Day, November 11, 1921, was declared by Congress to be a legal holiday within the District of Columbia, and the President, by the same act, was requested to invite, and did invite, the Governors of the States to proclaim it to be a legal holiday within their respective States. It was so observed, and hence regarded as a "National Holiday."

The Federal Bankruptcy Act contains this definition: "Holidays shall include Christmas, the Fourth of July, the Twenty-second of February and any day appointed by the President of the United States or the Congress of the United States as a holiday or as a day of public fasting or thanksgiving."

THE GLOSSARY

By HON. WM. TYLER PAGE

Clerk of the House of Representatives of the United States Congress

AN EXPLANATION OF THE LEGISLATIVE TERMS APPEARING IN THIS NUMBER

A LEGISLATIVE MEASURE

of the superior class is designated "Bill," as distinguished from a Resolution. When a bill is finally enacted, it is then called "An Act." This also is true officially of a bill that has passed but one of the two Houses of Congress; but the term "bill" usually follows a measure throughout its legislative processes to final approval by the President, when it becomes "An Act" and is so designated in the compiled statutes. A House bill is designated thus—H. R. 1, etc. A Senate bill, S. 1, etc.

PUBLIC BILLS

relate to public matters and deal with individuals only by classes. Bills relating to the revenue, to the tariff, to appropriations, to public lands, to the courts, etc., are classed as public bills. And, under the House practice, these are divided into two classes: (a) directly or indirectly appropriating money or property. (b) not raising revenue nor directly or indirectly appropriating money or property. The character of public bills determines the method of their consideration.

A BILL IS INTRODUCED

when it is presented to the Senate or the House of Representatives. The rules of the House require that the bill merely be dropped in a basket beside the desk of the Speaker while the House is in session. The rules of the Senate require that a Senator, when introducing a bill, arise and verbally announce his intention and the subject of the bill, after which a page boy takes the bill to the desk of the Vice President, who is presiding officer of the Senate.

A BILL IS REFERRED TO COMMITTEE

having jurisdiction of the subject matter. Reference is made in the case of public bills by the speaker and in the case of private bills by the clerk.

A BILL IS AMENDED

when it is changed in any particular, either in committee or while the bill is under discussion on the floor of either House. Committees may recommend amendments but the House must agree to them before they become a part of the bill.

A BILL IS PASSED

when either House finally votes to pass it. When passed by one House it is sent to the other.

A BILL IS ENACTED INTO LAW

when it shall have been approved by the President or allowed to become a law without his approval, not having been returned with his veto to the House in which it originated within ten days.

APPROPRIATION BILLS

known as general appropriation bills, twelve in number, appropriate revenue for the support of the Government. These bills have certain privileged status to insure prompt consideration.

A RESOLUTION

serves the purpose of one House or the other in matters of interest to the House in which it is employed. A House Resolution is designated thus—H. Res. 1, etc. A Senate Resolution is designated S. Res. 1, etc.

A JOINT RESOLUTION

is a development of modern practice which does not differ in any respect from a bill so far as the processes of Congress in its consideration are concerned. It must pass through the same travail to which a bill is subjected, except in the case of a joint resolution proposing to amend the Constitution, which does not require the approval of the President. The only real difference between a bill and a joint resolution is in the name.

COMMITTEES OF THE SENATE AND HOUSE

are necessary in order to expedite the work of Congress. There are sixty-two committees of the House and thirty-four in the Senate. The chairman and a majority of the members of a committee are always members of the party in control of the House of which the committee is a part.

COMMITTEE HEARINGS

are opportunities offered proponents and opponents of a bill to furnish the committee with information and views concerning the necessity or effect of the bill it is considering. Sometimes, as is frequently the case with bills affecting the executive departments, committees hold secret hearings, but in most instances the hearings are public. Official stenographers make reports of these hearings which are afterwards printed for use of the committee.

COMMITTEE REPORTS

are recommendations made by committees to the House or Senate concerning the bill which has been referred to them. The rules of the House require that committee reports be made in writing. In the Senate Committees may report either verbally or in writing. In a majority of instances the bill, as reported by the committee, has been changed to a greater or less degree, from the form in which it was originally introduced.

FLOOR OF THE HOUSE (OR SENATE)

means within the bar of that body where the actual business of consideration and voting takes place.

PARTY MEASURE

is one for which the Members of a political party are committed as distinguished from a measure supported by individuals of each party.

THE LEGISLATIVE CALENDAR

is the printed list of bills in the order of their report from committee. In ordinary circumstances the calendar is followed, but bills of special importance are frequently placed at the top of the list and thereby gain precedence.

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